

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING __ May 18, 1966

Appeal No. 8734 D. C. Redevelopment Land Agency, appellant.

The Zoning Administrator of the District of Columbia, appellee.

On motion duly made, seconded and carried with Mr. Arthur P. Davis abstaining because of his view that the Board lacks jurisdiction in all Urban Renewal Areas, the following Order was entered at the meeting of the Board on May 31, 1966.

EFFECTIVE DATE OF ORDER -- July 21, 1966

ORDERED:

That the appeal for permission to provide parking in front of building at 375-379 and 389-397 N Street, SW., lot 314, square 546, be granted.

FINDINGS OF FACT:

(1) Appellant's property is located within an Urban Renewal Area.

(2) This appeal is filed under the Zoning Regulations effective September 1, 1953.

(3) Section XXIII, Part 2, Paragraph 25, of the above regulations provides that the Board may "Permit open parking spaces between the outside walls of a building and the line of any street upon which the lot abuts for the accommodation of motor driven vehicles of persons residing in the building or buildings on the premises, subject to such restrictions and safeguards as may, in the opinion of the Board, be necessary to protect the residential property in the vicinity and provided the Board finds that such use will not interfere unreasonably with the most appropriate use of neighboring property under the zone plan."

(4) Appellant proposes to eliminate garages that were originally planned and provide equivalent parking between the house fronts and the street.

(5) No opposition was registered at the public hearing to the granting of this appeal.

OPINION:

We are of the opinion that the location of this proposed parking will have no adverse affect upon nearby and adjoining residential property. Further, this proposed location will not create a traffic hazard or other objectionable condition.

Mr. Davis is of the opinion that the Board of Zoning Adjustment lacks any jurisdiction in this case.